

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 583 - SB 1265

March 15, 2015

SUMMARY OF BILL: Prohibits a defendant from waiving a preliminary hearing unless the State consents.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Rule 5 of the Tennessee Rules of Criminal Procedure authorizes a defendant to waive a preliminary hearing in misdemeanor or felony cases and be immediately bound over to the grand jury.
- Under the rules, the State's consent is not necessary to waive a preliminary hearing. The State's consent is necessary to waive grand jury proceedings and trials by jury.
- The bill requires the State's consent to waive preliminary hearings.
- The District Attorneys General Conference and the District Public Defenders Conference confirm that the bill will not significantly impact their operations.
- The Administrative Office of the Courts confirms that the bill will not significantly impact their caseload.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Jeffrey L. Spalding".

Jeffrey L. Spalding, Executive Director

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